

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA

vs.

HASSAN AHMED DAHIR (7)

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§

3:10-CR-00260(7)  
JUDGE HAYNES

**DEFENDANT HASSAN AHMED DAHIR'S MOTION IN LIMINE NO. 2 TO EXCLUDE**  
**GOVERNMENT'S USE OF DEFENDANT DAHIR'S A-FILE**

Defendant, Hassan Ahmed Dahir (7), by and through the undersigned counsel, moves this Honorable Court *in limine* in accordance with the Federal Rules of Evidence 401 and 402 to exclude from evidence Defendant Dahir's "A-File" in the upcoming trial of this matter. Defendant Dahir further moves the Court to issue an Order prohibiting the Government from referring to Defendant Dahir's immigration status, that he is a Somali refugee, prior criminal convictions and/or arrests, or any other matters referenced in his A-File.

The Government's revised witness list names Ryan Hubbard, and identifies him as an ICE Custodian of Records. (Docket Entry no. 1864, Witness no. 4). The purpose of his testimony is described as regarding Defendant Dahir's A-File, and the A-Files other persons. Also names in the revised witness list is ICE Agent Jason White. (Docket Entry no. 1864, Witness no. 40).

The A-File is a compilation of court records, immigration documents, correspondences pertaining to immigration, Department of Homeland Security documents, and records of a criminal history. The very first page of Defendant Dahir's A-File has stamped on it "Agg. Felon." Throughout the A-File are other documents and correspondences evidencing that Defendant Dahir has been convicted of multiple felonies.

*ONP 211*

*This motion  
is DENIED  
subject to the  
conditions  
stated in  
open court.*

*will file  
1864  
3-22-12*